

## REMARKS

Claims 1-11 are currently pending in the application. The claims have been amended to correct a typographical error in Claim 5 by adding a "t" to the misspelled word "ino".

Claims 1, 3 and 5-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for containing the trademark "Bluetooth". Each occurrence of "Bluetooth" in Claims 1,3 and 5-10 has been amended to "wireless radio communication", as shown in the above amendments.

Claims 1, 2 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,625,282 to Liang ("Liang") in view of U.S. Patent 6,016,347 to Magnasco ("Magnasco").

Claims 3-10 stand rejected under 35 U.S.C. §103(a) as unpatentable over Liang and Magnasco in view of "Specification of the Bluetooth System v1.0B," December 1, 1999 ("Bluetooth Spec").

The present application is directed to a wireless headset with a Bluetooth<sup>TM</sup> module that includes a sensing device configured to automatically sense a folded and unfolded position of a microphone supporting member relative to a main body of the headset. The sensing device is located *within* a connector or hinge structure, allowing the microphone supporting member to fold and unfold relative to the main body, and establishes a communication link between the headset and a master terminal once the microphone supporting member is sensed to be unfolded.

The connector, or hinge structure, is located between the microphone-supporting member and a main body of the wireless headset and coupled thereto to allow for displacement of the main body and microphone-supporting member relative to one another between a folding and unfolding position.

Liang teaches a hands free telephone picking up device for answering a traditional wired phone without picking up the handset by hand. To answer a call, an activation key is pressed on a Bluetooth headset. The headset communicates with the control unit that responds by mechanically picking up the phone to initiate the call. Bluetooth communication is then used between the headset and the phone to conduct the call.

Magnasco teaches an optical switch for a headset. A rotator element is connected to a microphone boom so that the rotator element rotates with the boom. Some portions of the rotator element are reflective and some portions are opaque. Optical transceivers are placed on the

headset in fixed positions with respect to the rotator element. As the boom and rotator element rotate, the reflective portions are passed into the transceivers' field of view, in which case, the headset is turned off. In certain predetermined positions, the reflective portions are within the transceivers' field of view to switch the headset off; and, in other certain predetermined positions, the opaque portions are within the transceivers' field of view, switching the headset on.

Referring to FIGs. 5A – 5E, the optical transceivers are not mounted in, or onto, the rotator element. The optical transceiver is the sensing device in Magnasco and is not part of the connector that connects the boom (microphone supporting member) to the main body of the wireless headset.

Claim 1 recites a connector located between the microphone-supporting member and a main body of the wireless headset and coupled thereto to allow for displacement of the main body and microphone-supporting member relative to one another between a folding and unfolding position; and, a sensing device mounted *into* the connector.

Magnasco does not teach a sensing device mounted into such a connector. The optical transceivers of Magnasco are mounted on the main body of the headset and not on any connecting element coupled between the microphone-supporting member and the headset main body. The combination of Liang and Magnasco, therefore, does not teach every element of Claim 1 since Liang does not cure the deficiencies of Magnasco by also failing to teach a connector and sensing device as recited in Claim 1.

Claim 2 should be allowable as well, for its dependency from an allowable base claim.

Claim 11 recites a hinge structure located *between* and attached to the main body and microphone supporting member so that the main body and microphone supporting member are displaceable relative to one another between a folding and unfolding position; and, a sensing device mounted *to* the hinge structure.

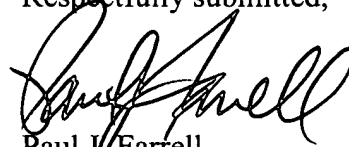
As stated above, the transceiver of Magnasco is mounted to the main body of the headset, not to a hinge structure mounted between and attached to the main body and the microphone-supporting member. Liang also does not teach the hinge structure and sensing device arrangement of Claim 11. Therefore, the combination of Liang and Magnasco fail to teach all the elements of Claim 11 as well.

With respect to Claims 3-10, in addition to Magnasco and Liang as discussed above, the

Bluetooth Specification v1.0B also does not teach a hinge structure located *between* and attached to the main body and microphone supporting member and a sensing device mounted *to*, or *in* the hinge structure. Therefore, Claims 3-10 should be allowable over the cited combination of Magnasco, Liang and the Bluetooth Specification v1.0B.

In view of the preceding remarks and amendments, it is respectfully submitted that all pending claims, namely 1-11 are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", is written over the typed name.

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